

Annex 4 Appeals Procedure

Article 1.

An internal appeals committee, hereinafter referred to as appeals committee, is hereby established at VLUHR. The appeals committee reviews and adjudicates on appeals brought by the institutions against the second feedback round of the review reports.

Article 2. Composition

The appeals committee is composed of:

- a working chair and a deputy chair;
- two working assessors and two deputy assessors

They are appointed by the QA Board for a renewable period of three years. The chair is an expert in educational and/or administrative law. The assessors are experts in evaluation. The QA Board appoints a permanent secretary and deputy secretary.

Article 3. Competence

The appeals committee shall rule on the admissibility of petitions. It shall assess the merits of the appeal on the basis of

1. the application within a concrete review of the procedures described in the applicable 'VLUHR programme review';
2. the general administrative principles.

The appeals committee does not adjudicate on the quality of the reviewed programme.

Article 4. Establishment and registration of the appeal

1. An institutional board that does not agree with the final decision in the second feedback round of the review report may lodge an appeal with the appeals committee within fifteen calendar days, starting the day after the second feedback has been received, electronically or by post. The petition is sent to the secretariat of the appeals committee by registered mail or by delivery against receipt. The date of posting or the date of acknowledgement of receipt will be considered the date of the petition.
2. The application contains the following information:
 - the name, address and telephone number of the institution's management;
 - the date and signature of the general manager or rector;
 - the title of the second feedback review report to which the petition refers;
 - at least a factual description of the objections invoked.

The institutional board may attach to the petition such documents of persuasion as it deems necessary. The institutional board will compile the documents and provide with them an inventory.

3. Each petition is entered in a register by the secretariat of the appeals committee. A copy of the petition is sent to the members of the internal appeals committee and to the chair and members of the panel.

Article 5. Assessment and notification of admissibility

1. The appeal is not admissible if the institutional board has not availed itself of the opportunity to submit its objections to the panel after first feedback round. The application is admissible if it
 - has been submitted within the set time limit and
 - contains at least the information specified in article 4, § 2 of the appeal procedure.

2. The secretariat of the appeals committee examines the admissibility of the appeal and communicates its findings to the appeals committee. If the appeals committee finds that an appeal is inadmissible, it informs the institutional board by registered letter or by delivery with an acknowledgment of receipt, within a period of fifteen calendar days after the receipt of the appeal. The appeal procedure is thusly terminated.
3. The institutional board may, during the period of lodging an appeal provided by article 4 §1, submit a new petition expressly withdrawing the earlier petition.
4. If an appeal is admissible, the appeals committee shall immediately inform the institutional board and the chair of the panel and shall examine the merits of the appeal.

Article 6. Consideration of the merits

The appeals committee may request additional information, stating the period within which the information must be provided. It may call the parties to a joint meeting, the place and time of which it shall determine. The panel shall be represented by its chair and/or the members delegated by the panel.

Article 7. Decision

1. The appeals committee shall communicate its reasoned decision to the institutional board and to the chair of the panel by registered letter or by delivery with an acknowledgment of receipt, within a period of twenty calendar days starting from the day following the day on which the appeal was received.
2. The appeals committee may
 - decide that the appeal is unfounded; the review report remains unchanged;
 - decide that the panel must consider certain changes to the review report, including a clearer motivation of its judgment;
 - decide that certain parts of the review must be resumed, in compliance with the regulations and general principles referred to in article 3 of the appeals procedure. The appeals committee may impose a return visit to this end. As a rule, the return visit is carried out by the chair and at least two members of the panel, supported by a staff member of VLUHR QA. If necessary, the appeals committee may decide to have the return visit carried out by a newly formed committee.
3. The panel records the result of its review and consultation, as a result of the decision of the appeals committee referred to in article 7 §2. 2° and 3°, in a note that, if necessary, leads to an adjusted second feedback review report. The panel provides the note and, if necessary, the modified second feedback review report to VLUHR QA, which takes care of further follow-up.

Article 8. Costs

For lodging an appeal with the appeals committee as determined in article 2, a non-recoverable administrative charge of EUR 700 shall be charged to the institutional board, per petition.

Article 9. Rules of procedure

The appeals committee shall draw up rules of procedure.

Article 10. End of term

If the last day of a term is a Saturday, Sunday or public holiday, the term shall be extended to the first working day following that, on which the postal services are opened.

Article 11.

This procedure shall enter into force on January 1st 2020.